

1 LAURENCE W. PARADIS (Bar No. 122336)
2 KEVIN KNESTRICK (Bar No. 229620)
3 CHRISTINE CHUANG (Bar No. 257214)
4 DISABILITY RIGHTS ADVOCATES
5 2001 Center Street, Fourth Floor
6 Berkeley, California 94704
7 Telephone: (510) 665-8644
8 Facsimile: (510) 665-8511
9 TTY: (510) 665-8716
10 Email: general@dralegal.org

ARLENE MAYERSON (Bar No. 79310)
DISABILITY RIGHTS EDUCATION
AND DEFENSE FUND, INC.
3075 Adeline Street, Suite 210
Berkeley, California 94703
Telephone: (510) 644-2555
Fax/TTY: (510) 841-8645
amayerson@dredf.org

11 BILL LANN LEE (Bar No. 108452)
12 CATHA WORTHMAN (Bar No. 230399)
13 LEWIS FEINBERG LEE RENAKER & JACKSON, P.C.
14 476 9th Street
15 Oakland, California 94607
16 Telephone: (510) 839-6824
17 blee@lewisfeinberg.com
18 cworthman@lewisfeinberg.com

19 Attorneys for Plaintiffs

20
21
22
23
24
25
26
27
28
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 CENTER FOR INDEPENDENT LIVING,
18 INC., JANET BROWN, and LISA KILGORE
19 on behalf of themselves and all others
20 similarly situated,

21 Plaintiffs,

22 v.

23 WAL-MART STORES, INC.,
24 Defendant.

Case No. C 12-3885 CRB

CLASS ACTION

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' MOTION REQUESTING
APPOINTMENT OF INTERIM CLASS
COUNSEL PURSUANT TO RULE 23(G)**

Hearing: April 12, 2013

Time: 10:00 a.m.

Place: Courtroom 6, 17th Floor

Judge: Hon. Charles R. Breyer

DISABILITY RIGHTS ADVOCATES
2001 CENTER STREET, FOURTH FLOOR
BERKELEY, CALIFORNIA 94704-1204
(510) 665-8644

~~PROPOSED~~ ORDER

WHEREAS, the Court has ordered that the cases *Center For Independent Living, Inc. et al. v. Wal-Mart Stores, Inc.*, Case No. 3:12-CV-03885-CRB (“CIL”) and *Partida v. Wal-Mart Stores, Inc.*, Case No. C 13-00305 KAW (“Partida”) are related;

WHEREAS, Defendant Wal-Mart Stores, Inc. has filed an unopposed motion pursuant to Rule 42 of the Federal Rules of Civil Procedure seeking consolidation of the above-captioned matters;

WHEREAS, Plaintiffs’ Counsel in *CIL* has filed a motion pursuant to Rule 23(g) requesting appointment as interim class counsel in the *CIL* and *Partida* cases;

IT IS HEREBY ORDERED THAT Plaintiffs’ Motion Requesting Appointment of DRA, DREDF, and Lewis Feinberg as Interim Class Counsel Pursuant to Rule 23(g) is **GRANTED**.

IT IS FURTHER ORDERED THAT Plaintiffs’ interim class counsel shall be generally responsible for coordinating the activities of Plaintiffs during pretrial proceedings, and shall have authority over the following matters on behalf of all plaintiffs and the putative class in the *CIL* and *Partida* actions, including:

1. Determining and presenting (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the putative class on all matters arising during pretrial proceedings;
2. Designating which attorneys may appear at hearings and conferences with the Court;
3. Designating which attorneys may appear at settlement negotiations on behalf of the putative class and conducting settlement negotiations with defendant;
4. Entering into stipulations, with opposing counsel, necessary for the conduct of the litigation;
5. Determining the scope, order, and conduct of all discovery proceedings;
6. Retaining plaintiffs' experts;
7. Maintaining adequate time and disbursement records covering services as interim class

counsel;

8. Ensuring that schedules are met and unnecessary expenditures of time and funds are avoided;

9. Assigning such work assignments to other counsel as they may deem appropriate;

10. Performing such other duties as may be incidental to proper coordination of plaintiffs' pretrial activities or authorized by further order of the Court, including the drafting and/or filing of all pleadings, orders, and correspondence necessary to conduct the litigation; and

11. Planning and coordinating, to the extent practicable, with all related actions filed for all discovery, law and motion practice and related matters, to ensure the efficient prosecution of the consolidated cases.

IT IS SO ORDERED

Dated: April 1, 2013



The Honorable Charles R. Breyer
United States District Court Judge
Northern District of California

DISABILITY RIGHTS ADVOCATES
2001 CENTER STREET, FOURTH FLOOR
BERKELEY, CALIFORNIA 94704-1204
(510) 665-8644